

MINUTES OF MEETING OF JANUARY 7, 2013

The special meeting of the Frelinghuysen Township Committee was held in the Municipal Building, 210 Main Street, Johnsonburg, New Jersey on Monday, January 7, 2013 and was called to order at 7:30 p.m. by Mayor Boynton.

SUNSHINE LAW STATEMENT:

Under the provisions of the Open Public Meetings Act, adequate notice of this meeting was provided by posting notice on the township bulletin board and by e mailing notice to the New Jersey Herald and The Express-Times.

ROLL CALL:

Those present were: Mayor David Boynton, Deputy Mayor Christopher Kuhn (arriving at 7:45), Committeeman Frank Desiderio, Committeeman Alan DeCarolis, Committeeman Christopher Stracco, Attorney Edward Wacks and Clerk Brenda Kleber.

The purpose of the meeting was to discuss the possibility of forming a Land Use Board. Mr. Wacks made the boards aware that a number of years ago, the planning board statute was modified so that if a municipality has a population of less than 15,000 so that instead of two single boards-Planning Board and Board of Adjustment, a single board called a Land Use Board consisting of 9 members and as many as 4 alternates could be formed. There used to be an appeal to the Mayor and Committee for a ruling favorable to an applicant but the Committee got rid of that section and now, the applicant has to go to the Superior Court. Since the state statute still has that option, the Mayor or his appointee and the Committeeman cannot vote on a use variance. In the other two communities, Mr. Wacks represents-Allamuchy and Rockaway, the merging of the two boards have worked out nicely and no problems have occurred. With respect to the cost savings, the Land Use Board would have one attorney, one planner and one engineer and even though the applicant pays for these in the escrow, if the applicant had to go before the other board there would be additional escrow charges. The last time, when the community went to a single board, there were issues that had nothing to do with planning or zoning and there was a referendum that restored the two boards back. The attorney recommended that this merge be done, but the Mayor and Committee would like to hear from the present board members.

Committeeman Stracco gave his perspective as Chairman of the Board of Adjustment for 5 years. He advised that he had mentioned to the BOA members of this issue so it shouldn't come to any surprise to them. For practical purposes the people who are interpreting and approve the variance should be the same people involved who are amending the Master Plan and ordinances. He feels there is an overlap when the Planning Board can hear some bulk variances and site plans and the BOA also hears the bulk variances and site plans. This consolidation makes sense given that there is not much activity going on. There are many townships in our area that have a combined board that is working. Mr. Stracco feels that this could be positive to the community and

feels that since this board could be a large board there could be room for members of each board.

Committeeman Kuhn believed that it is the direction of communities within the area to combine the two boards, specifically Blairstown who have received favorable reviews. Mr. Kuhn feels it's worth considering.

Committeeman DeCarolis stated that the only consideration he has is if there are several large application, there could be extra meetings and late night meetings. He feels there is no savings and opposes the merge as the past referendum was voted by the residents to return the BOA.

Motion was made by Desiderio, seconded by DeCarolis to open the meeting to the public. All were in favor.

Spoke were:

*Robert Young who went along with Mr. DeCarolis as he feels the work load is a concern and is against the merge.

*Max Klein who is neutral but had concerns over the selection process.

*Robin Randolph who asked the number of members on the Allamuchy board. She needed clarification on the secretary's salary as to whether the township pays it.

*Nicholas Soranno who is for the consolidation and has the same concern over the selection process.

*Howard Jungkind who thought the most important item is the leadership

*Russ Walters who asked engineer Joe Golden about his experience with other towns that have Land Use Boards.

*Darlene Green who agreed with Committeeman Stracco.

*Don Soisson who would hate to see a rush job and doesn't want what happened before happen again.

*Donna Eitner who had two questions. 1-can we go back to two boards if needed and 2 have the BOA members been to training. The answer to both questions was yes.

*Marty Connor who stated that the consolidation makes sense.

*Committeeman Desiderio asked in the audience who would not like to be on the Land Use Board. There was no showing of hands.

*Rita Bernstein asked what happens with the secretary. She was told it was to be taken care of by the Land Use Board

*Mike Lavery stated it was a policy decision

*Jim Simonetti thought that combining the two boards is a good idea.

Ralph Corvino thought it was a good idea

David Boynton, II advised he is on the fence.

Motion was made by Boynton, seconded by Desiderio to close the public portion of the meeting. All were in favor.

At this time, Mayor Boynton reappointed:

Planning Board:

James Simonetti -4 year appointment to expire 12/2016

Ralph Corvino-4 year appointment to expire 12/2016

Alan DeCarolis, Class II member-1 year appointment to expire 12/2013

Frank Desiderio, Mayor's appointee-1 year appointment to expire 12/2013

Motion was made by Desiderio, seconded by DeCarolis concurring with the Mayor's appointments. All were in favor.

ADJOURNMENT:

There being no further business, the meeting was adjourned.

Respectfully Submitted,

Brenda J. Kleber, RMC